

"Express Mail" Label No. EV 543777833 US
Date of Deposit May 2, 2006

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: 

Aaron Hokamura

PATENT
Attorney Docket No.: 082368-003900US
Client Reference No.: ONC-A0213P1-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAKAMURA and KATAGIRI

Application No.: 10/529,833

Int'l Application No.: PCT/JP03/10256

Int'l Filing Date: August 12, 2003

For: METHOD FOR DIAGNOSING
CHRONIC MYELOID LEUKEMIA

Confirmation No.:

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references AB - AZ are enclosed. A copy of U.S. Patent Application Publication AA is not enclosed in compliance with the provisions of 37 CFR §1.98(a)(2). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

References AB, AF, AG, AI, AL-AO, AQ-AS and AU were cited in an International Search report in a corresponding PCT Application. A copy of the Search Report is enclosed.


References AA, AC, AD, AE, AH, AI, AJ, AK, AP, AQ, AT, and AV-AZ were cited by the European Patent Office in the European Search Report. A copy of the Search Report is enclosed.

Reference AD is not in the English Language. Reference AD (WO 02/066492 A3/A3) is categorized as an "X" document on the attached European Search Report.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KLB:ath
60761321 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/529,833
				Int'l Filing Date	August 12, 2003
				First Named Inventor	Nakamura, Yusuke
				Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	082368-003900US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	2002/0055615 A1	05-09-2002	Cuttitta et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AB	WO	97/46885	A1	12-11-1997	Pharmacia & Upjohn AG		<input type="checkbox"/>
	AC	WO	02/24866	A2/A3	03-28-2002	University of Massachusetts		<input type="checkbox"/>
	AD	WO	02/066492	A2/A3	08-29-2002	Sanofi-Synthelabo; and Assistance Publique Hoptiaux de Marseille		<input type="checkbox"/>
	AE	WO	02/071928	A2/A3	09-19-2002	Millennium Pharmaceuticals, Inc.		<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/529,833
				Int'l Filing Date	August 12, 2003
				First Named Inventor	Nakamura, Yusuke
				Art Unit	
Examiner Name					
Sheet	2	of	3	Attorney Docket Number	082368-003900US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	AF	COHEN, Ninette <i>et al.</i> ; "Subgroup of patients with Philadelphia-positive chronic myelogenous leukemia characterized by a deletion of 9q proximal to <i>ABL</i> gene: expression profiling, resistance to interferon therapy, and poor prognosis"; <u>Cancer Genetics and Cytogenetics</u> 128:114-119 (2001)	<input type="checkbox"/>	
	AG	DELILERS, Giorgio Lambertenghi <i>et al.</i> ; "Effect of inositol hexaphosphate (IP ₆) on human normal and leukaemic haematopoietic cells"; <u>British Journal of Haematology</u> 117:577-587 (2002)	<input type="checkbox"/>	
	AH	FIGUEIREDO, Bonald C. <i>et al.</i> ; "Comparative genomic hybridization analysis of adrenocortical tumors of childhood"; <u>The Journal of Clinical Endocrinology & Metabolism</u> 84(3):1116-1121 (1999)	<input type="checkbox"/>	
	AI	KANETA, Yasuyuki <i>et al.</i> ; "Prediction of sensitivity to STI571 among chronic myeloid leukemia patients by genome-wide cDNA microarray analysis"; <u>Jpn. J. Cancer Res.</u> 93:849-856 (August 2002)	<input type="checkbox"/>	
	AJ	KANETA, Yasuyuki <i>et al.</i> ; "Genome-wide analysis of gene-expression profiles in chronic myeloid leukemia cells using a cDNA microarray"; <u>International Journal of Oncology</u> 23:681-691 (2003)	<input type="checkbox"/>	
	AK	KUBO, Atsushi <i>et al.</i> ; "Adrenomedullin production is correlated with differentiation in human leukemia cell lines and peripheral blood monocytes"; <u>FEBS Letters</u> 426:233-237 (1998)	<input type="checkbox"/>	
	AL	LI, Huiyu <i>et al.</i> ; "cDNA microarray analysis of chronic myeloid leukemia"; <u>International Journal of Hematology</u> 75:388-393 (2002)	<input type="checkbox"/>	
	AM	MAEDA, Takashi <i>et al.</i> ; "Growth inhibition of mammalian cells by eosinophil cationic protein"; <u>Eur. J. Biochem.</u> 269:307-316 (2002)	<input type="checkbox"/>	
	AN	MIYAZATO, Akira <i>et al.</i> ; "Identification of myelodysplastic syndrome-specific genes by DNA microarray analysis with purified hematopoietic stem cell fraction"; <u>Blood</u> 98:422-427 (2001)	<input type="checkbox"/>	
	AO	MUKAI, Harumi Y. <i>et al.</i> ; "Elevated serum levels of eosinophil major basic protein in patients with myeloproliferative disorders without eosinophilia"; <u>International Journal of Hematology</u> 66:197-202 (1997)	<input type="checkbox"/>	
	AP	NAKAYAMA, Masaharu <i>et al.</i> ; "Transcriptional control of adrenomedullin induction by phorbol ester in human monocytic leukemia cells"; <u>Eur. J. Biochem.</u> 267:3559-3566 (2000)	<input type="checkbox"/>	
	AQ	NOWICKI, Michał Oskar <i>et al.</i> ; "Chronic myelogenous leukemia molecular signature"; <u>Oncogene</u> 22:3952-3963 (2003)	<input type="checkbox"/>	
Examiner Signature				Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/529,833
				Int'l Filing Date	August 12, 2003
				First Named Inventor	Nakamura, Yusuke
				Art Unit	
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	082368-003900US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AR	OHMINE, Ken <i>et al.</i> ; "Characterization of stage progression in chronic myeloid leukemia by DNA microarray with purified hematopoietic stem cells"; <u>Oncogene</u> 20:8249-5257 (2001)	<input type="checkbox"/>
	AS	QIAN, Zhijian <i>et al.</i> ; "Expression profiling of CD34 ⁺ hematopoietic stem/progenitor cells reveals distinct subtypes of therapy-related acute myeloid leukemia"; <u>PNAS</u> 99(23):14925-14930 (November 12, 2002)	<input type="checkbox"/>
	AT	SHIMADA, H. <i>et al.</i> ; "Potential involvement of the AML1-MTG8 fusion protein in the granulocytic maturation characteristic of the t(8;21) acute myelogenous leukemia revealed by microarray analysis" <u>Leukemia</u> 16:874-885 (2002)	<input type="checkbox"/>
	AU	DATABASE; EMBL Accession No. X16545; "Human DNA for eosinophil cationic protein ECP"; August 10, 1990	<input type="checkbox"/>
	AV	DATABASE; GEO Accession No. GDS73; "Diffuse large B-cell lymphoma (LC-4b)"; June 27, 2002	<input type="checkbox"/>
	AW	DATABASE; GEO Accession No. GDS74; "Diffuse large B-cell lymphoma (LC-7b)"; June 27, 2002	<input type="checkbox"/>
	AX	DATABASE; GEO Accession No. GDS75; "Diffuse large B-cell lymphoma (LC-8)"; June 27, 2002	<input type="checkbox"/>
	AY	DATABASE; GEO Accession No. GDS88; "Cancer cell lines (10k_print 2)"; June 27, 2002	<input type="checkbox"/>
	AZ	DATABASE; GEO Accession No. GDS89; "Cancer cell lines (10k_print 3)"; June 27, 2002	<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.